

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-MJ-6240

United States of America

v.

WILLI ACEVEDO GARCIA,

FILED BY AT D.C.

May 30, 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FTL

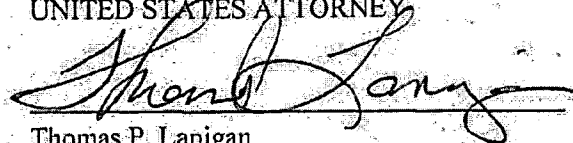
CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? No
2. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? No
3. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No

Respectfully submitted,

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

By:



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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

WILLI ACEVEDO GARCIA

Case No.

23-MJ-6240

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 28, 2023 in the county of Broward in the
Southern District of Florida, the defendant(s) violated:

Code Section
8 U.S.C. § 1326(a) and (b)(2)

Offense Description
an alien having been previously removed from the United States on or about October 31, 2001, was found to be in the United States, knowingly and unlawfully, without the Attorney General of the United States or his successor, the Secretary of Homeland Security having expressly consented to such alien reapplying for admission to the United States.

This criminal complaint is based on these facts:
see attached affidavit

☒ Continued on the attached sheet.


Complainant's signature

Special Agent Daniel Evans, HSI
Printed name and title

Sworn to before me and signed in my presence.

Date: 05/30/2023

City and state: Fort Lauderdale, Florida


Judge's signature

JARED M. STRAUSS U.S. MAGISTRATE JUDGE
Printed name and title

AFFIDAVIT

I, Daniel Evans, being duly sworn, do depose and say:

1. I am a Special Agent with Homeland Security Investigations (HSI) and have been so employed since June 2001. Prior to my appointment as a Special Agent, for approximately three years, I was employed as a police officer by the Coconut Creek Police Department, City of Coconut Creek, Florida. As a Special Agent with HSI, I am responsible for conducting criminal investigations related to the statutes contained in the Immigration and Nationality Act and related offenses contained in Titles 8 and 18 of the United States Code. As a result of my training and experience, I am familiar with the tactics, methods, and techniques of committing various types of immigration law violations. I have been the lead investigator or otherwise participated in numerous investigations involving alien smuggling and the illegal re-entry of aliens.

2. The statements contained in this Affidavit are based upon my own personal knowledge, as well as information provided to me by other law enforcement officials and law enforcement support personnel. Because this Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me or law enforcement in this investigation. I have set forth only the facts that I believe are necessary to establish probable cause that Willi ACEVEDO GARCIA did illegally re-enter the United States in violation of Title 8, United States Code, Sections 1326(a) and (b)(2).

3. On May 28, 2023, at approximately 1:30 p.m., the Dania Beach Border Patrol Station was contacted by the Broward County Sheriff's Office (BSO) Deputy Jacobson (Badge 13257) regarding a maritime smuggling event in progress near 2950 NE 23 Place, in the City of Lighthouse

Point, Broward County, Florida. Border Patrol agents responded to the scene and arrested 19 foreign nationals (18 Haitians and 1 Dominican).

4. The subjects had been detained by BSO officers near the intersection of NE 24th Street and NE 26th Avenue in Lighthouse Point, while the subjects were walking on the road after making an illegal entry into the United States by vessel. The vessel was a 35 foot Hatteras cabin Vessel, (Florida Registration FL 2961 AF), and was located docked approximately one quarter of a mile east of the arrest location behind a private residence near the Intracoastal waterways.

5. The subjects, including ACEVEDO GARCIA, were taken into custody by Border Patrol Agents and then was transported to the Dania Beach Border Patrol Station for processing. All subjects' fingerprints and biographical information were entered and queried via the Department of Homeland Security (DHS) IDENT system and the Integrated Automated Fingerprint Identification System (IAFIS). ACEVEDO GARCIA's fingerprints submission to IAFIS resulted in a positive match to ACEVEDO GARCIA who had been previously removed from the United States in 2001. The queries revealed that as part of his deportation proceedings, ACEVEDO GARCIA had been assigned Alien number 038 928 279.

6. The queries also associated ACEVEDO GARCIA to FBI arrest number 80772JB5. FBI number 80772JB5 revealed New York State convictions of Grand Larceny and Criminal Possession of a Controlled Substance. As a result, ACEVEDO GARCIA was sentenced to serve one to three years in prison.


7. During the investigation, it was determined that neither ACEVEDO GARCIA nor the other migrants possessed documentation or visas that would allow them to legally enter the United States. While reviewing ACEVEDO GARCIA's criminal history, your affiant discovered that his

arrest record in New York listed the name William SEPEDA as well as Willi ACEVEDO. During the booking process, in order to confirm that ACEVEDO GARCIA and William SEPEDA were the same person, your affiant asked ACEVEDO GARCIA if he had also used the name William SEPEDA. ACEVEDO GARCIA stated that he had also used the name William SEPEDA when he was arrested in New York. He added that he had been arrested, and that he served eight months of his sentence after which he was deported.

8. A review of ACEVEDO GARCIA's immigration record A038 928 279, revealed that he is a native and citizen of the Dominican Republic who on August 2, 2001, was ordered removed by an Immigration Judge. On October 31, 2001, ACEVEDO GARCIA was removed from the United States to the Dominican Republic via Miami, Florida. ACEVEDO GARCIA does not have any immigration petitions pending. ACEVEDO GARCIA did not receive the consent of the Attorney General or his successor, the Secretary of Homeland Security, to reenter the United States.

9. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that on or about May ^{28 DE} 29, 2023, Willi ACEVEDO GARCIA, an alien having been previously removed from the United States on or about October 31, 2001, was found to be in the United States, knowingly and unlawfully, without the Attorney General of the United States or his successor, the Secretary of Homeland Security having expressly consented to such alien reapplying for admission to the United States; in violation of Title 8, United States Code, Sections 1326(a) and (b)(2).

FURTHER YOUR AFFIANT SAYETH NAUGHT.



DANIEL EVANS, SPECIAL AGENT
HOMELAND SECURITY INVESTIGATIONS

Sworn and subscribed before me this
30th day of May, 2023.



HONORABLE JARED STRAUSS
UNITED STATES MAGISTRATE JUDGE